

105TH CONGRESS
1ST SESSION

S. 1556

To improve child nutrition programs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

NOVEMBER 13, 1997

Mr. LEAHY introduced the following bill; which was read twice and referred
to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To improve child nutrition programs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Child Nutrition Initiatives Act”.

6 (b) TABLE OF CONTENTS.—The table of contents of
7 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—NATIONAL SCHOOL LUNCH ACT

Sec. 101. Grants to integrate food and nutrition projects with elementary
school curricula.

Sec. 102. Summer food service program for children.

Sec. 103. Child and adult care food program.

Sec. 104. Meal supplements for children in afterschool care.

Sec. 105. Homeless children nutrition program.

Sec. 106. Boarder baby and other pilot projects.
 Sec. 107. Information clearinghouse.

TITLE II—CHILD NUTRITION ACT OF 1966

Sec. 201. Area grant program.
 Sec. 202. Special supplemental nutrition program for women, infants, and children.
 Sec. 203. Nutrition education and training.

1 **TITLE I—NATIONAL SCHOOL** 2 **LUNCH ACT**

3 **SEC. 101. GRANTS TO INTEGRATE FOOD AND NUTRITION** 4 **PROJECTS WITH ELEMENTARY SCHOOL CUR-** 5 **RICULA.**

6 Section 12(m) of the National School Lunch Act (42
 7 U.S.C. 1760(m)) is amended—

8 (1) by striking “(m)(1) The” and inserting the
 9 following:

10 “(m) GRANTS TO INTEGRATE FOOD AND NUTRITION
 11 PROJECTS WITH ELEMENTARY SCHOOL CURRICULA.—

12 “(1) IN GENERAL.—Subject to paragraph (5),
 13 the”;

14 (2) by striking paragraph (3) and inserting the
 15 following:

16 “(3) AMOUNT OF GRANTS.—Subject to para-
 17 graph (5), the Secretary shall make grants to each
 18 of the 3 private organizations or institutions selected
 19 under this subsection in amounts of not less than
 20 \$60,000, nor more than \$130,000, for each of fiscal
 21 years 1999 through 2001.”; and

1 (3) by striking paragraph (5) and inserting the
2 following:

3 “(5) PAYMENTS.—

4 “(A) IN GENERAL.—Out of any moneys in
5 the Treasury not otherwise appropriated, the
6 Secretary of the Treasury shall provide to the
7 Secretary to carry out this subsection \$300,000
8 for each of fiscal years 1999 through 2001.

9 “(B) ENTITLEMENT TO FUNDS.—The Sec-
10 retary shall be entitled to receive the funds
11 made available under subparagraph (A) and
12 shall accept the funds.

13 “(C) INSUFFICIENT NUMBER OF APPLI-
14 CANTS.—The Secretary may expend less than
15 the amount described in subparagraph (A) for
16 a fiscal year to the extent that there is an in-
17 sufficient number of suitable applicants for
18 grants under this subsection for the fiscal year.

19 “(D) UNOBLIGATED FUNDS.—Of any
20 funds that are made available, but not obli-
21 gated, for a fiscal year under this paragraph—

22 “(i) 25 percent shall remain available
23 until expended; and

24 “(ii) the remainder shall be returned
25 to the general fund of the Treasury.”.

1 **SEC. 102. SUMMER FOOD SERVICE PROGRAM FOR CHIL-**
2 **DREN.**

3 (a) **PURPOSES.**—Section 13(a)(1) of the National
4 School Lunch Act (42 U.S.C. 1761(a)(1)) is amended in
5 the first sentence by striking “initiate and maintain” and
6 inserting “initiate, maintain, and expand”.

7 (b) **DEFINITION OF AREAS IN WHICH POOR ECO-**
8 **NOMIC CONDITIONS EXIST.**—Section 13(a)(1)(C) of the
9 National School Lunch Act (42 U.S.C. 1761(a)(1)(C)) is
10 amended by striking “50 percent” and inserting “40 per-
11 cent”.

12 (c) **COMMERCIAL VENDORS.**—Section 13(a)(2) of the
13 National School Lunch Act (42 U.S.C. 1761(a)(2)) is
14 amended in the first sentence—

15 (1) by striking “institution or” and inserting
16 “institution,”; and

17 (2) by inserting before the period at the end the
18 following: “, or by commercial vendors”.

19 (d) **NUMBER OF PRIVATE NONPROFIT ORGANIZA-**
20 **TIONS IN A RURAL AREA.**—Section 13(a)(7)(B)(i)(II) of
21 the National School Lunch Act (42 U.S.C.
22 1761(a)(7)(B)(i)(II)) is amended by striking “20 sites”
23 and inserting “25 sites”.

24 (e) **SECOND HELPINGS.**—Section 13(a) of the Na-
25 tional School Lunch Act (42 U.S.C. 1761(a)) is amended
26 by adding at the end the following:

1 “(8) SECOND HELPINGS.—In carrying out this
 2 section, the Secretary shall issue regulations that
 3 provide an allowance for a second helping of up to
 4 5 percent of the quantity of the first helping
 5 served.”.

6 (f) PAYMENTS.—Section 13(b)(1) of the National
 7 School Lunch Act (42 U.S.C. 1761(b)(1)) is amended—

8 (1) in subparagraph (B)(i), by striking “\$1.97”
 9 and inserting “\$2.23”;

10 (2) in subparagraph (C), by striking “subpara-
 11 graph (B)” and inserting “subparagraphs (B) and
 12 (D)”;

13 (3) by adding at the end the following:

14 “(D) REIMBURSEMENT FOR TRANSPOR-
 15 TATION.—

16 “(i) IN GENERAL.—The Secretary
 17 shall provide an additional reimbursement
 18 to each eligible service institution located
 19 in a very rural area (as defined by the Sec-
 20 retary) for the cost of transporting each
 21 child to and from a feeding site for chil-
 22 dren who are brought to the site by the
 23 service institution or for whom transpor-
 24 tation is arranged by the service institu-
 25 tion.

1 “(ii) AMOUNT.—Subject to clause
 2 (iii), the amount of reimbursement pro-
 3 vided to a service institution under this
 4 subparagraph may not exceed the lesser
 5 of—

6 “(I) 75 cents per day for each
 7 child transported to and from a feed-
 8 ing site; or

9 “(II) the actual cost of transport-
 10 ing children to, and home from, a
 11 feeding site.

12 “(iii) ADJUSTMENTS.—The amounts
 13 specified in clause (ii) shall be adjusted in
 14 accordance with subparagraph (C).”.

15 (g) NUMBER OF MEALS AND SUPPLEMENTS.—Sec-
 16 tion 13(b)(2) of the National School Lunch Act (42 U.S.C.
 17 1761(b)(2)) is amended—

18 (1) by redesignating subparagraphs (A) and
 19 (B) as clauses (i) and (ii), respectively;

20 (2) by striking “(2) Any service” and inserting
 21 the following:

22 “(2) MEALS AND SUPPLEMENTS.—

23 “(A) IN GENERAL.—Any service”;

24 (3) by striking “3 meals, or 2 meals and 1 sup-
 25 plement,” and inserting “4 meals”; and

1 (4) by adding at the end the following:

2 “(B) CAMPS AND MIGRANT PROGRAMS.—A
3 camp or migrant program may serve a break-
4 fast, a lunch, a supper, and meal supple-
5 ments.”.

6 (h) EXTENSION.—Section 13(q) of the National
7 School Lunch Act (42 U.S.C. 1761(q)) is amended by
8 striking “1998” and inserting “2003”.

9 **SEC. 103. CHILD AND ADULT CARE FOOD PROGRAM.**

10 (a) EXTENSIONS.—Section 17 of the National School
11 Lunch Act (42 U.S.C. 1766) is amended—

12 (1) in subsection (c)(6)(B), by striking “1997”
13 and inserting “2003”;

14 (2) in subsection (f)(3)(D), by striking “fiscal
15 year 1997” each place it appears and inserting
16 “each of fiscal years 1997 through 2003”; and

17 (3) in subsection (p), by striking “1998” each
18 place it appears and inserting “2003”.

19 (b) NUMBER OF MEALS AND SUPPLEMENTS.—Sec-
20 tion 17(f)(2)(B) of the National School Lunch Act (42
21 U.S.C. 1766(f)(2)(B)) is amended by striking “2 meals
22 and 1 supplement” and inserting “2 meals and 2 supple-
23 ments, or 3 meals and 1 supplement,”.

24 (c) GRANTS TO STATES TO PROVIDE ASSISTANCE TO
25 FAMILY OR GROUP DAY CARE HOMES.—Section

1 17(f)(3)(D)(ii)(I) of the National School Lunch Act (42
 2 U.S.C. 1766(f)(3)(D)(ii)(I)) is amended by striking
 3 “\$30,000” and inserting “\$45,000”.

4 **SEC. 104. MEAL SUPPLEMENTS FOR CHILDREN IN AFTER-**
 5 **SCHOOL CARE.**

6 Section 17A(a)(2)(C) of the National School Lunch
 7 Act (42 U.S.C. 1766a(a)(2)(C))) is amended by striking
 8 “on May 15, 1989”.

9 **SEC. 105. HOMELESS CHILDREN NUTRITION PROGRAM.**

10 Section 17B(g)(1) of the National School Lunch Act
 11 (42 U.S.C. 1766b(g)(1)) is amended in the first sentence
 12 by striking “and \$3,700,000 for fiscal year 1999” and in-
 13 serting “\$3,700,000 for fiscal year 1999, \$4,000,000 for
 14 fiscal year 2000, \$4,100,000 for fiscal year 2001, and
 15 \$4,200,000 for fiscal year 2002”.

16 **SEC. 106. BOARDER BABY AND OTHER PILOT PROJECTS.**

17 Section 18 of the National School Lunch Act (42
 18 U.S.C. 1769) is amended—

19 (1) in subsection (c)—

20 (A) by striking “1998” each place it ap-
 21 pears and inserting “2003”; and

22 (B) in paragraph (3)(A)—

23 (i) in clause (v), by striking “and” at
 24 the end; and

1 (ii) by adding at the end the follow-
 2 ing:

3 “(vii) salaries and expenses of support
 4 staff, including management, medical, nursing,
 5 janitorial, and other support staff; and”;

6 (2) in subsection (e)(5), by striking “and 1998”
 7 and inserting “through 2003”;

8 (3) in subsections (g)(5) and (h)(5), by striking
 9 “1997” each place it appears and inserting “2003”;
 10 and

11 (4) in subsection (i)(8), by striking “1998” and
 12 inserting “2003”.

13 **SEC. 107. INFORMATION CLEARINGHOUSE.**

14 Section 26(d) of the National School Lunch Act (42
 15 U.S.C. 1769g(d)) is amended in the first sentence by
 16 striking “\$100,000 for fiscal year 1998” and inserting
 17 “\$185,000 for each of fiscal years 1998 through 2003”.

18 **TITLE II—CHILD NUTRITION ACT**
 19 **OF 1966**

20 **SEC. 201. AREA GRANT PROGRAM.**

21 Section 4 of the Child Nutrition Act of 1966 (42
 22 U.S.C. 1773) is amended by adding at the end the follow-
 23 ing:

24 “(f) AREA GRANT PROGRAM.—

25 “(1) DEFINITIONS.—In this subsection:

1 “(A) ELIGIBLE SCHOOL.—The term ‘eligi-
2 ble school’ means a school—

3 “(i) attended by children, a significant
4 percentage of whom—

5 “(I) are members of low-income
6 families, as determined by the Sec-
7 retary; or

8 “(II) live in rural areas and have
9 unmet needs for initiation or expan-
10 sion of a school breakfast or summer
11 food service program for children; and

12 “(ii)(I) as used with respect to a
13 school breakfast program, that agrees to
14 operate the school breakfast program es-
15 tablished or expanded with the assistance
16 provided under this subsection for a period
17 of not less than 3 years; and

18 “(II) as used with respect to a sum-
19 mer food service program for children, that
20 agrees to operate the summer food service
21 program for children established or ex-
22 panded with the assistance provided under
23 this subsection for a period of not less
24 than 3 years.

1 “(B) SERVICE INSTITUTION.—The term
2 ‘service institution’ means an institution or or-
3 ganization described in paragraph (1)(B) or (7)
4 of section 13(a) of the National School Lunch
5 Act (42 U.S.C. 1761(a)).

6 “(C) SUMMER FOOD SERVICE PROGRAM
7 FOR CHILDREN.—The term ‘summer food serv-
8 ice program for children’ means a program au-
9 thorized by section 13 of the National School
10 Lunch Act (42 U.S.C. 1761).

11 “(2) ESTABLISHMENT.—The Secretary shall es-
12 tablish a program under this subsection to be known
13 as the ‘Area Grant Program’ (referred to in this
14 subsection as the ‘Program’) to assist eligible
15 schools and service institutions through grants to
16 initiate or expand programs under the school break-
17 fast program and the summer food service program
18 for children.

19 “(3) PAYMENTS.—

20 “(A) IN GENERAL.—Out of any moneys in
21 the Treasury not otherwise appropriated, the
22 Secretary of the Treasury shall provide to the
23 Secretary to carry out this subsection
24 \$5,000,000 for fiscal year 1998 and each fiscal
25 year thereafter.

1 “(B) ENTITLEMENT TO FUNDS.—The Sec-
2 retary shall be entitled to receive the funds
3 made available under subparagraph (A) and
4 shall accept the funds.

5 “(C) USE OF FUNDS.—The Secretary shall
6 use the funds made available under subpara-
7 graph (A) to make payments under the Pro-
8 gram—

9 “(i) in the case of the school breakfast
10 program, to school food authorities for eli-
11 gible schools; and

12 “(ii) in the case of the summer food
13 service program for children, to service in-
14 stitutions.

15 “(D) INSUFFICIENT NUMBER OF APPLI-
16 CANTS.—The Secretary may expend less than
17 the amount described in subparagraph (A) for
18 a fiscal year to the extent that there is an in-
19 sufficient number of suitable applicants to initi-
20 ate or expand programs under this subsection
21 for the fiscal year.

22 “(4) PRIORITY.—The Secretary shall make pay-
23 ments under the Program on a competitive basis and
24 in the following order of priority (subject to the
25 other provisions of this subsection) to:

1 “(A) School food authorities for eligible
2 schools to assist the schools with nonrecurring
3 expenses incurred in—

4 “(i) initiating a school breakfast pro-
5 gram under this section; or

6 “(ii) expanding a school breakfast
7 program.

8 “(B) Service institutions to assist the insti-
9 tutions with nonrecurring expenses incurred
10 in—

11 “(i) initiating a summer food service
12 program for children; or

13 “(ii) expanding a summer food service
14 program for children.

15 “(5) ADDITIONAL PAYMENTS.—Payments under
16 the Program shall be in addition to payments under
17 subsection (b) of this section and section 13 of the
18 National School Lunch Act (42 U.S.C. 1761).

19 “(6) PREFERENCES.—Consistent with para-
20 graph (4), in making payments under the Program
21 for any fiscal year to initiate or expand school
22 breakfast programs or summer food service pro-
23 grams for children, the Secretary shall provide a
24 preference to a school food authority for an eligible
25 school or service institution that—

1 “(A) in the case of a summer food service
2 program for children, is a public or private non-
3 profit school food authority;

4 “(B) has significant public or private re-
5 sources that will be used to carry out the initi-
6 ation or expansion of the programs during the
7 year;

8 “(C) serves an unmet need among low-in-
9 come children, as determined by the Secretary;

10 “(D) is not operating a school breakfast
11 program or summer food service program for
12 children, as appropriate; or

13 “(E) is located in a rural area, as deter-
14 mined by the Secretary.

15 “(7) RECOVERY AND REALLOCATION.—The
16 Secretary shall act in a timely manner to recover
17 and reallocate to other school food authorities for el-
18 igible schools or service institutions any amounts
19 under the Program that are not expended within a
20 reasonable period (as determined by the Secretary).

21 “(8) MAINTENANCE OF EFFORT.—Expenditures
22 of funds from State, local, and private sources for
23 the maintenance of the school breakfast program
24 and the summer food service program for children

1 shall not be diminished as a result of payments re-
 2 ceived under the Program.”.

3 **SEC. 202. SPECIAL SUPPLEMENTAL NUTRITION PROGRAM**
 4 **FOR WOMEN, INFANTS, AND CHILDREN.**

5 (a) EXTENSIONS.—Section 17 of the Child Nutrition
 6 Act of 1966 (42 U.S.C. 1786) is amended in subsections
 7 (g)(1), (h)(2)(A), and (h)(10)(A) by striking “1998” each
 8 place it appears and inserting “2003”.

9 (b) SENSE OF CONGRESS ON FULL FUNDING FOR
 10 WIC.—It is the sense of Congress that the special supple-
 11 mental nutrition program for women, infants, and children
 12 established under section 17 of the Child Nutrition Act
 13 of 1966 (42 U.S.C. 1786) should be fully funded for fiscal
 14 year 1998 and each subsequent fiscal year so that all eligi-
 15 ble participants for the program will be permitted to par-
 16 ticipate at the full level of participation for individuals in
 17 their category, in accordance with regulations issued by
 18 the Secretary of Agriculture.

19 (c) FARMERS’ MARKET NUTRITION PROGRAM.—Sec-
 20 tion 17(m) of the Child Nutrition Act of 1966 (42 U.S.C.
 21 1786(m)) is amended—

22 (1) in paragraph (1), by striking “(m)(1) Sub-
 23 ject” and all that follows through “the Secretary”
 24 and inserting the following:

25 “(m) FARMERS’ MARKET NUTRITION PROGRAM.—

1 “(1) IN GENERAL.—The Secretary”;

2 (2) in paragraph (6)(B)—

3 (A) by striking “(B)(i) Subject to the
4 availability of appropriations, if” and inserting
5 the following:

6 “(B) MINIMUM AMOUNT.—If”; and

7 (B) by striking clause (ii); and

8 (3) in paragraph (9), by striking “(9)(A)” and
9 all that follows through the end of subparagraph (A)
10 and inserting the following:

11 “(9) FUNDING.—

12 “(A) PAYMENTS.—

13 “(i) IN GENERAL.—Out of any mon-
14 eys in the Treasury not otherwise appro-
15 priated, the Secretary of the Treasury
16 shall provide to the Secretary to carry out
17 this subsection \$15,000,000 for fiscal year
18 1999, \$19,000,000 for fiscal year 2000,
19 \$24,000,000 for fiscal year 2001,
20 \$30,000,000 for fiscal year 2002, and
21 \$37,000,000 for fiscal year 2003. Such
22 funds shall remain available for this pro-
23 gram until expended.

24 “(ii) ENTITLEMENT TO FUNDS.—The
25 Secretary shall be entitled to receive the

1 funds made available under subparagraph
2 (A) and shall accept the funds.”.

3 **SEC. 203. NUTRITION EDUCATION AND TRAINING.**

4 Section 19(i) of the Child Nutrition Act of 1966 (42
5 U.S.C. 1788(i)) is amended—

6 (1) in paragraph (2)—

7 (A) in the first sentence of subparagraph
8 (A), by inserting “and each succeeding fiscal
9 year” after “1996”; and

10 (B) by striking subparagraph (B) and in-
11 serting the following:

12 “(B) MINIMUM AMOUNT.—The minimum
13 amount of a grant provided to a State for a fis-
14 cal year under this section shall be \$85,000.”;

15 (2) by striking paragraph (3); and

16 (3) by redesignating paragraphs (4) and (5) as
17 paragraphs (3) and (4), respectively.

○